



Image

16387

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JONARD ET AL. Examiner: A. MEHTA
Serial No.: 09/936,011 Group Art Unit: 1638
Filed: NOVEMBER 6, 2001 Docket: 9997.34USWO
Confirmation No.: 7797
Title: METHOD FOR INDUCING VIRAL RESISTANCE INTO A PLANT

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 6, 2003.

By:

Name:

Kristine A. Wacek
Kristine A. Wacek

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 4 Reference(s)
- ☒ Check(s) in the amount of \$180.00 for filing Supplemental IDS after receipt of Office Action
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By:

Name: John J. Gresens

Reg. No.: 33,112

JGresens:MED:PSTkaw



S/N 09/936,011

PATENT

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By:

Name:

Kristine A. Wach
Kristine A. Wach

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

23552

PATENT TRADEMARK OFFICE

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. Enclosed is a check in the amount of \$180.00 under 37 C.F.R. § 1.17(p) for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.


Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Date: _____

10/6/03



John J. Gresens

Reg. No. 33,112

JJG:MED:PSTkaw

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 9997.34USWO	Application Number: 09/936,011
	Applicant: JONARD ET AL.	
	Filing Date: 11/06/2001	Group Art Unit: 1638

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6,297,428 B1	10/02/2001	Guilley et al.			

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 92/13159	08/06/1992	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		Lauber, E. et al., "Vascular movement of beet necrotic yellow vein virus in <i>Beta macrocarpa</i> is probably dependent on an RNA 3 sequence domain rather than a gene product," <i>Journal of General Virology</i> , Vol. 79, pp. 385-393 (1998)
		Xu, H. et al., "Genetically engineered resistance to potato virus X in four commercial potato cultivars," <i>Plant Cell Reports</i> , Vol. 15, pp. 91-96 (1995)

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PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	